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infliction of emotional distress. Plaintiffs demanded a trial by jury. A true and correct copy of all process and pleadings in that cause, are attached as Exhibit A, as required by 28 U.S.C. §1446(a).

II. PARTIES AND SERVICE

Defendants Pan American Laboratories, LLC, PamLab, LLC, Samuel Camp, and Stephen Camp, first received the citation and petition on October 9, 2007. Therefore, this notice of removal is timely filed under 28 U.S.C. §1446(b) within 30 days of receipt of the initial pleading setting forth the claim for relief.

III. VENUE

Under 28 U.S.C. §1441(a), venue of the removed action is proper in this Court as the state-court action was filed in Travis County, Texas. Thus, this Court is the district and division embracing the place where the state action is pending.

IV. BASIS FOR REMOVAL – FEDERAL QUESTION JURISDICTION

Removal is proper because Plaintiffs' claims involve federal questions,¹ as they are made actionable by Title VII of the Civil Rights Act of 1964. Specifically, Plaintiffs' petition indicates that both Black and Whitaker seek redress for alleged violations of the anti-discrimination and anti-retaliation provisions of Title VII.² Furthermore, Plaintiffs seek attorneys' fees pursuant to 42 U.S.C. 2000e-5(k).³

With respect to Plaintiffs' Texas Labor Code discrimination claims⁴ and intentional infliction of emotional distress claims,⁵ if a separate or independent claim

¹ See 28 U.S.C. §§1331, 1441(b).

² See *Plaintiffs' Original Petition* at pages 12-13.

³ See *Plaintiffs' Original Petition* at page 14.

⁴ See *Plaintiffs' Original Petition* at pages 11-12.

establishing federal question jurisdiction “is joined with one or more otherwise non-removable claims or causes of action, the entire case may be removed and the district court may determine all issues therein, or, in its discretion, may remand all matters in which State law predominates.”⁶ Thus, supplemental jurisdiction over Plaintiffs’ state law claims is proper because such claims are so related to Plaintiffs’ federal claims that they are part of the same case or controversy under Article III of the United States Constitution, and because no state law issue predominates.⁷ Accordingly, removal of this case to this Court on the basis of federal question jurisdiction is proper.

V. NOTICE TO STATE COURT

Defendants, the removing parties, will promptly give Plaintiffs written notice of the filing of this *Notice of Removal* as required by 28 U.S.C. §1446(d). Defendants will promptly file a copy of this *Notice of Removal* with the Clerk of the 353rd Judicial District Court of the State of Texas, Travis County, where the action is currently pending, also pursuant to 28 U.S.C. §1446(d).

VI. COUNSEL OF RECORD

The following is a list of all counsel of record:

Paul E. Hash, Esq.	Delta S. Best, Esq.
Attorney-in-Charge	Attorney-in-Charge
Texas Bar No. 09198020	Texas Bar No. 02263900
William E. Hammel, Esq.	Allison L Spruill, Esq.
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ATTORNEYS FOR DEFENDANT	ATTORNEYS FOR PLAINTIFFS

⁵ See *Plaintiffs’ Original Petition* at page 13.

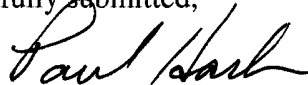
⁶ 28 U.S.C. §1441(c).

⁷ See 28 U.S.C. §1441(c); 28 U.S.C. §1367

VII. PRAYER

WHEREFORE, Defendants in this action, pursuant to these statutes and in conformance with the requirements set forth in 28 U.S.C. §1446, removes the case styled *Carleen Black and Kace Whitaker v. Pan American Laboratories, LLC, PamLab, LLC, Samuel Camp, and Stephen Camp*, Cause No. D-1-GN-07-003101, from the 353rd Judicial District Court of the State of Texas, Travis County, on this 2nd day of November, 2007.

Respectfully submitted,



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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I certify that this *Defendant's Notice of Removal* was served on the following counsel of record, via certified mail, return receipt requested, on the 2nd day of November, 2007, as follows:

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